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T-744 P.02/17 F-68

CERTIFICATE OF TRANSMISSION

I hereby certify that this currespondence is being facilitatic transmitted to Examiner Bradley L. Sisson (Group Art Unit 1055) at (703) 872-9307 of the U.S. Patent and Trademark Office on

January 9, 2002

#22 BWbb 1/10/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stefan JOOS and Peter LICHTER

Application No. 09/171,854

Filed: October 22, 1998

For: IDENTIFICATION OF

NUMERICAL CHANGES IN

CELL DNA

Art Unit: 1655

Examiner: Sisson, B.

Attorney's Docket No: 03528.0038.US00

if he had

RESPONSE TO NOTICE OF NON-COMPLIANCE

BOX AF

Commissioner for Patents Washington, D.C. 20231

Sir:

This is in response to the Notice of Non-Compliant Amendment dated January 8, 2002, and is submitted before the due date of February 8,2002. Applicants believe that there is no fee associated with this matter. However, if there is a fee deficiency, the United States Patent and Trademark Office is authorized to charge any fee deficiency to Deposit Account 08-3038.

RESPONSÉ

In response to the Notice of Non-Compliance, Applicant is submitting herewith a new version of the Substitute Specification, which encompasses all amendments to the specification, as well as amendments to the claims, to reflect any such changes in the marked-up versions of the specification and the claims. The marked-up versions of the specification and the claims, which show changes made, have already been submitted with the Response to the Final Office Action dated November 9, 2001.

T-744 P.03/17 F-680

Application Senal No. 09/171,854 Attorney's Docket No. 03528.0038.US00

CONCLUSION

It is now believed that the application is in condition for allowance and advancement as such is earnestly requested. Should any questions arise in connection with this submission which may be resolved by a telephonic interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 9, 2002

Viola T. Kung (Reg. No. 41,131)

HOWREY SIMON ARNOLD & WHITE, LLP

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FACSIMILE COVER SHEET

GROUP 1600

| DATE | 1/9/2002 | _ | | | , |
|---|----------------------------|------------------------------|--------------------|-----------------|---|
| TO: | NAME: | Examiner Bradley L. Sissor | . Group Art Unit 1 | 655, Box AF | |
| | COMPANY: | US PATENT AND TRADEM | | | |
| | CITY/STATE: | | | | |
| | FAX NUMBER | (703) 872-9307 | PHONE NUMBER | (703) 308-3978 | _ |
| FROM: | NAME | Albert P. Halluin/Viola Kung | | (Judy) | |
| | DIRECT DIAL NUMBER | <u>(650)</u> 463-8181 | USER ID: | 5049 | _ |
| NUMBER OF PAG | ES, <u>INCLUDING</u> COVER | 17 | CHARGE NUMBER | 03528.0038.US00 | |
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| SUPPLEMENTAL | MESSAGE: | | | | |
| US Application No.: 09/171,854 Attorney Docket No.: 035280038US00 For: Identification of Numerical Changes in Cell DNA Response to Notice of Non-Compliance: (2 pages) Substitute Specification: (14 pages) | | | | | |
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IF THERE ARE ANY QUESTIONS OR PROBLEMS WITH THE TRANSMISSION OF THIS FACSIMILE, PLEASE CALL 650.463.8103.